

Remarks

A. Claims

Claims 1, 3-5, 8, 10-11, 13-18, and 20 have been amended. Claims 26-28 have been added. Claims 6, 12, and 24 have been cancelled. Claims 1-5, 7-11, 13-23, and 25-28 are pending.

B. 35 U.S.C. §102(e) Rejections

The Examiner has rejected claims 1-25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,957,353 to Bresniker et al. (hereinafter “Bresniker”). Applicant respectfully disagrees with these rejections.

Applicant respectfully reminds the Examiner that the standard for “anticipation” is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed.Cir. 1986); *In re Donahue*, 766 F.2d 531, 226 U.S.P.Q. 619, 621 (Fed.Cir. 1985).

Bresniker does not appear to disclose, teach, or suggest at least “wherein said central resource is configured to generate a power mask for said FRU slot (emphasis added)” as recited in claim 1. The Examiner points to Bresniker at col. 6, lines 23-24, however, Applicant respectfully notes that while Bresniker discloses information stored on EEPROMs, Bresniker does not appear to disclose a central resource configured to generate a power mask to store on a non-volatile memory. For example, Bresniker discloses “Power supply units 114 each include an EEPROM 323 for storing power supply identification and status information (col. 6, lines 23-24).” However, Bresniker does not appear to disclose the a central resource is configured to

generate a power mask for storing. Applicant respectfully asserts claim 1 is allowable for at least the above reason. Applicant respectfully requests the Examiner withdraw the rejection to claim 1 and claims dependent thereon.

Bresniker does not appear to disclose, teach, or suggest at least “generating a power mask, by said central resource for said FRU, with an indicator of a power state which indicates whether said FRU should be powered on or powered off (emphasis added)” as recited in claim 20. The Examiner points to Bresniker at col. 6, lines 23-24, which states: “Power supply units 114 each include an EEPROM 323 for storing power supply identification and status information.” The Examiner further points to the power supply units 114 of FIG. 3 as a “central resource (see Office Action, page 2).” However, Applicant respectfully asserts Bresniker does not disclose a central resource generating a power mask with an indicator which indicates whether an FRU should be powered on or powered off. Bresniker discloses a “priority-based power consumption reduction algorithm (Bresniker, col. 17, lines 11-12).” However, Bresniker does not appear to disclose at least “an indicator... which indicates whether said FRU should be powered on or powered off” as recited in claim 20. Applicant respectfully asserts claim 20 and claims dependent thereon are allowable for at least the above reasons. Applicant respectfully requests the Examiner withdraw the rejection to claim 20 and claims dependent thereon.

C. Many Of The Dependent Claims Are Separately Patentable

The Examiner is also respectfully requested to separately consider each of the dependent claims for patentability. Many of the dependent claims in addition to those mentioned above are independently patentable.

Bresniker does not disclose, teach, or suggest at least “wherein said central resource is configured to access said power mask from said non-volatile memory to determine a power

status and history of said slot (emphasis added)” as recited in claim 5. The Examiner points to Bresniker for this teaching:

In one configuration, SMC 300E polls the ID EEPROMs 302A and 550 of the FRUs 300 and 304 via one of the I.sup.2 C buses 554 to obtain the power usage of each FRU 300 and 304. SMC 300E also polls EEPROM 323 of power supply units 114, which stores the power capacity of the power supply units 114. SMC 300E compares the power usage values obtained from the FRUID EEPROMs, with the overall power available in server system 100 obtained from the power supply unit's ID EEPROM 323, and determines if there is sufficient capacity to power up the FRUs 300 and 304. SMC 300E controls the power state of FRUs 300 and 304 based on the comparison of the power usage values with the overall power available. If there is not sufficient capacity to power up the FRUs 300 and 304, SMC 300E does not power up all FRUs 300 and 304, or does not power up selected ones of the FRUs 300 and 304. (Bresniker, col. 13, line 61 – col. 14, line 9).

Applicant respectfully submits that Bresniker does not disclose accessing the power mask to determine a history of a slot as recited in claim 5. Applicant respectfully asserts claim 5 is also allowable for at least the above reason.

D. New Claims

Applicant respectfully submits the cited art does not disclose, teach, or suggest at least “wherein the indicator indicates whether said FRU was powered on or powered off prior to a last system power down” as recited in claim 26 in combination with the features of claim 20, “wherein said FRU slot is a first FRU slot; wherein the system further comprises a second FRU slot; wherein the central resource is further operable to store a separate power mask for each of the first and second FRU slots; and wherein each separate power mask includes an indicator specific to said power mask’s FRU slot which indicates whether said respective FRU should be powered on or powered off” as recited in claim 27 in combination with the features of claim 1, or “wherein said central resource is further operable to generate an indicator in the power mask which indicates whether an FRU held by said FRU slot is faulty” as recited in claim 28 in combination with the features of claim 1.

E. Additional Remarks

Based on the above, Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel Deposit Account No. 50-1505/6000-10101/BNK.

Respectfully submitted,



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